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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/062,426 | 02/05/2002 | Tae Yamane | OKI.302 | 4137 |

20987 7590 03/17/2005

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| EXAMINER |
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PAREKH, NITIN

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| ART UNIT | PAPER NUMBER |
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2811

DATE MAILED: 03/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------|-----------------------------|--|
| Office Action Summary | Application No. 10/062,426 | Applicant(s) YAMANE, TAE | |
| | Examiner Nitin Parekh | Art Unit 2811 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-7,9,10,12-14 and 18-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-7,9,10,12-14 and 18-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Double Patenting

1. NON-STATUTORY

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

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2. Claims 1-3, 5-7, 9, 10, 12-14 and 18-25 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-14 of U.S. Patent No. 2003/0146504 (Yamane) in view of Ogawa et al. (US Pat. 6237218).

Although the conflicting claims are not identical, they are not patentably distinct from each other because claim 1 of U.S. Patent No. 2003/0146504 includes a chip-size semiconductor package, comprising: a semiconductor chip; a metal pad formed on the semiconductor chip; a conductive wiring pattern electrically connected to the metal pad; a molding resin formed over the conductive wiring pattern; a terminal which is electrically connected to the conductive wiring pattern, the conductive wiring pattern comprising a terminal and a connecting portion on which the terminal is formed, and the connecting portion having a slit to disperse stress applied to the connecting portion.

Regarding claim 1, claim 1 of Yamane (U.S. Patent No. 2003/0146504) fails to teach the connecting portion having a width that gradually decreases toward an extended portion.

Ogawa et al. teach using a wiring substrate having a conductive wiring pattern/shape such that a width/area of the connecting portion gradually decreases from a circular conductive pad/post portion of the wiring pattern (21a/21b/21c/21d and

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respective wiring layer 21 in Fig. 2B and 1) to a narrow/linearly extended portion of the conductive wiring pattern (21 in Fig. 2B; Col. 12, line 55- Col. 13, line 13).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the connecting portion having a width that gradually decreases toward an extended portion of the wiring as taught by Ogawa et al. so that the insulation cracking and stress related defects can be reduced in Yamane's CSP.

Regarding claims 2, 3, 18 and 22, claims 1-3 of Yamane (U.S. Patent No. 2003/0146504) substantially teaches the entire claimed structure as applied to claim 1 above.

Regarding claims 5, 6, 7, 19 and 23, claims 5-7 of Yamane (U.S. Patent No. 2003/0146504) substantially teaches the entire claimed structure as applied to claim 1 above.

Regarding claims 9, 10, 20 and 24, claims 9 and 10 of Yamane (U.S. Patent No. 2003/0146504) substantially teaches the entire claimed structure as applied to claim 1 above.

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Regarding claims 12-14, 21 and 25, claims 12-16 of Yamane (U.S. Patent No. 2003/0146504) substantially teaches the entire claimed structure as applied to claim 1 above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin Parekh whose telephone number is 571-272-1663. The examiner can normally be reached on 09:00AM-05:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Lee can be reached on 571-272-1732. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9318.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

NP

03-13-05



NITIN PAREKH

PRIMARY EXAMINER

TECHNOLOGY CENTER 2800